

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TRINITY GLASS INTERNATIONAL, INC.,
a Washington corporation,,

Plaintiff,

v.

BURNS, MORRIS & STEWART LIMITED
PARTNERSHIP, a Texas limited partnership,

Defendant.

Case No. C04-5330RJB

SUPPLEMENT TO ORAL OPINION

This matter comes before the court to supplement the oral opinion rendered at the conclusion of the *Markman* hearing held in the above-entitled case on 15 June 2005. The court neglected to address the argument that defendants were collaterally estopped, in this case, from challenging the decision of Judge Clark defining “integrally formed” in *Burns Morris and Stewart, LLP v. Endura Products Inc.* (Case No. 9:04-CV-23, E.D. Texas). This court hereby supplements said oral opinion as follows:

Defendant is not collaterally estopped by Judge Clark’s opinion in the “*Endura*” litigation in Texas for the reasons set forth in Defendant’s Reply Brief to the Claim Construction Brief of Plaintiff Trinity Glass International Inc. (Dkt. 70) at section II A, beginning at page 1 of said reply brief.

IT IS SO ORDERED.

